

Federal Deposit Insurance Corporation

§ 338.1

funds. The notice should be submitted to the Federal Deposit Insurance Corporation, Office of Compliance and Special Activities, Division of Supervision, Washington, DC 20429. The notice shall be effective upon receipt.

(2) A deposit broker shall maintain sufficient records of the volume of brokered deposits placed with any insured depository institution over the preceding 12 months and the volume outstanding currently, including the maturities, rates and costs associated with such deposits.

(3) The Director of the Division of Supervision or designee may request, from time to time, quarterly written reports from any deposit broker regarding the volume of brokered deposits placed with a specified insured depository institution and the maturities, rates and costs associated with such deposits.

(4) When a deposit broker ceases to act as such, it shall notify the FDIC in writing at the address indicated in paragraph (h)(1) of this section that it is no longer acting as a deposit broker.

[57 FR 23941, June 5, 1992, as amended at 58 FR 54935, Oct. 25, 1993; 60 FR 31384, June 15, 1995]

§§ 337.7—337.9 [Reserved]

§ 337.10 Waiver.

An insured State nonmember bank has the right to petition the Board of Directors of the Corporation for a waiver of this part or any subpart thereof with respect to any particular transaction or series of similar transactions. A waiver may be granted at the discretion of the Board upon a showing of good cause. All such petitions should be filed with the Office of the Executive Secretary, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC 20429.

§ 337.11 Effect on other banking practices.

Nothing in this part shall be construed as restricting in any manner the Corporation's authority to deal with any banking practice which is deemed to be unsafe or unsound or otherwise not in accordance with law, rule, or regulation; or which violates any condition imposed in writing by the Cor-

poration in connection with the granting of any application or other request by an insured State nonmember bank, or any written agreement entered into by such bank with the Corporation. Compliance with the provisions of this part shall not relieve an insured State nonmember bank from its duty to conduct its operations in a safe and sound manner nor prevent the Corporation from taking whatever action it deems necessary and desirable to deal with specific acts or practices which, although they do not violate the provisions of this part, are considered detrimental to the safety and sound operation of the bank engaged therein.

PART 338—FAIR HOUSING

Subpart A—Advertising

Sec.

338.1 Purpose.

338.2 Definitions applicable to subpart A of this part.

338.3 Nondiscriminatory advertising.

338.4 Equal housing lender poster.

Subpart B—Recordkeeping Requirements

338.5 Purpose.

338.6 Definitions applicable to subpart B of this part.

338.7 Recordkeeping requirements.

338.8 Compilation of loan data in register format.

338.9 Mortgage lending of a controlled entity.

APPENDIX A TO SUBPART B OF PART 338—Loan Application Register

APPENDIX B TO SUBPART B OF PART 338—Instructions on Maintaining Loan Application Register

AUTHORITY: 12 U.S.C. 1817, 1818, 1819, 1820(b); 12 U.S.C. 2801 *et seq.*; 15 U.S.C. 1691 *et seq.*; 42 U.S.C. 3605, 3608; 12 CFR part 202; 12 CFR part 203; 24 CFR part 110.

Subpart A—Advertising

§ 338.1 Purpose.

The purpose of this subpart A is to provide guidance on nondiscriminatory advertising, and, in addition, set forth the text of the Equal Housing Lender Poster that must be publicly displayed by insured State nonmember banks. This subpart A enforces provisions contained in section 805 of title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3601–

§ 338.2

12 CFR Ch. III (1-1-97 Edition)

19 ("Fair Housing Act"), as amended by the Fair Housing Amendments Act of 1988, and implemented by rules and regulations enacted by the United States Department of Housing and Urban Development, 24 CFR parts 109 and 110.

[56 FR 50038, Oct. 3, 1991]

§ 338.2 Definitions applicable to subpart A of this part.

For purposes of subpart A of this part:

(a) *Bank* means an insured State non-member bank as defined in section 3 of the Federal Deposit Insurance Act.

(b) *Dwelling* means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, portion thereof.

(c) *Handicap* means, with respect to a person:

(1) A physical or mental impairment which substantially limits one or more of such person's major life activities;

(2) A record of having such an impairment; or

(3) Being regarded as having such an impairment, but such term does not include current, illegal use of or addition to a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

(d) *Familial status* means one or more individuals (who have not attained the age of 18 years) being domiciled with:

(1) A parent or another person having legal custody of such individual or individuals; or

(2) The designee of such parent or other person having such custody, with the written permission of such parent or other person.

The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

[56 FR 50039, Oct. 3, 1991]

§ 338.3 Nondiscriminatory advertising.

(a) Any bank which directly or through third parties engages in any

form of advertising of any loan for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling or any loan secured by a dwelling shall prominently indicate in such advertisement, in a manner appropriate to the advertising medium and format utilized, that the bank makes such loans without regard to race, color, religion, national origin, sex, handicap, or familial status.

(1) With respect to written and visual advertisement, this requirement may be satisfied by including in the advertisement a facsimile of the logotype with the Equal Housing Lender legend contained in the Equal Housing Lender Poster prescribed in § 338.4(b).

(2) With respect to oral advertisement, this requirement may be satisfied by a statement, in the spoken text of the advertisement, that the bank is an *Equal Housing Lender*.

(3) When an oral advertisement is used in conjunction with a written or visual advertisement, the use of either of the methods specified in paragraphs (a) (1) and (2) of this section will satisfy the requirements of this paragraph (a).

(b) No advertisement shall contain any words, symbols, models or other forms of communication which express, imply, or suggest a discriminatory preference or policy of exclusion in violation of the provisions of the Fair Housing Act or the Equal Credit Opportunity Act.

[43 FR 11563, Mar. 20, 1978, as amended at 54 FR 52930, Dec. 26, 1989. Redesignated and amended at 56 FR 50039, Oct. 3, 1991]

§ 338.4 Equal housing lender poster.

(a) Each bank engaged in extending loans for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling or any loan secured by a dwelling shall conspicuously display an Equal Housing Lender Poster in any public lobby and area within the bank where deposits are received or where such loans are made in a manner clearly visible to the general public entering such areas.

(b) The Equal Housing Lender Poster shall be at least 11 by 14 inches in size and have the following text:



**We Do Business in Accordance With
Federal Fair Lending Laws**

**UNDER THE FEDERAL FAIR HOUSING ACT, IT IS ILLEGAL,
ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN,
RELIGION, SEX, HANDICAP, OR FAMILIAL
STATUS (HAVING CHILDREN UNDER THE AGE OF 18), TO:**

- Deny a loan for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or deny any loan secured by a dwelling; or
- Discriminate in fixing the amount, interest rate, duration, application procedures or other terms or conditions of such a loan, or in appraising property.

**IF YOU BELIEVE YOU HAVE BEEN DISCRIMINATED AGAINST,
YOU SHOULD SEND A COMPLAINT TO:**

*Assistant Secretary for Fair Housing and Equal Opportunity
Department of Housing & Urban Development
Washington, DC 20410*

For processing under the Federal Fair Housing Act
and to:

*Division of Compliance and Consumer Affairs
Federal Deposit Insurance Corporation
Washington, DC 20429-9990*

For processing under FDIC regulations

**UNDER THE EQUAL CREDIT OPPORTUNITY ACT, IT IS
ILLEGAL TO DISCRIMINATE IN ANY CREDIT TRANSACTION:**

- On the basis of race, color, national origin, religion, sex, marital status, or age,
- Because income is from public assistance, or
- Because a right was exercised under the Consumer Credit Protection Act.

**IF YOU BELIEVE YOU HAVE BEEN DISCRIMINATED AGAINST,
YOU SHOULD SEND A COMPLAINT TO:**

*Division of Compliance and Consumer Affairs
Federal Deposit Insurance Corporation
Washington, DC 20429-9990*

(c) The Equal Housing Lender Poster specified in this section was adopted under §110.25(b) of the United States Department of Housing and Urban Development's rules and regulations as an authorized substitution for the poster required in §110.25(a) of those rules and regulations.

[54 FR 52930, Dec. 26, 1989. Redesignated at 56 FR 50039, Oct. 3, 1991, as amended by 59 FR 52667, Oct. 19, 1994]

Subpart B—Recordkeeping Requirements

§338.5 Purpose.

The purpose of this subpart B is twofold. First, this subpart B requires insured State nonmember banks to collect information about the applicant's race and other personal characteristics in applications for home loans. In some instances, additional information concerning the applicant, the loan, and the subject property must be collected. Such information is collected in order to monitor an institution's compliance with the Equal Credit Opportunity Act of 1974 (15 U.S.C. 1691-91f), and serves as a substitute monitoring program as permitted by Regulation B of the Federal Reserve System (12 CFR 202.13(d)). Second, this subpart B notifies banks of their duty to maintain a register of home loan applications pursuant to Regulation C of the Federal Reserve System (12 CFR part 203), requires that the register be updated on a timely basis, and requires covered institutions to record data as to race or national origin, sex, and income for all applicants. The register format required by Regulation C is shown in appendix A to subpart B of this part. Appendix B to subpart B of this part refers banks to the instructions contained in Regulation C for completion of the register.

[56 FR 50039, Oct. 3, 1991]

§338.6 Definitions applicable to subpart B of this part.

For purposes of subpart B of this part—

(a) *Application* means an oral or written request for an extension of credit that is made in accordance with procedures established by a creditor for the type of credit requested.

(b) *Bank* means an insured State nonmember bank as defined in section 3 of the Federal Deposit Insurance Act.

(c) *Dwelling* means a residential structure whether or not that structure is attached to real property. The term includes, but is not limited to, an individual condominium, cooperative unit, or mobile or manufactured home.

(d) *Home improvement loan* means any loan that:

(1) Is stated by the borrower (at the time of the loan application) to be for the purpose of repairing, rehabilitating, or remodeling a dwelling; and

(2) Is classified by the financial institution as a home improvement loan.

(e) *Home purchase loan* means any loan secured by and made for the purpose of purchasing or refinancing a dwelling.

[56 FR 50040, Oct. 3, 1991]

§338.7 Recordkeeping requirements.

(a) *Records to be retained.*¹ (1) A bank which has no office located in a primary metropolitan statistical area ("PMSA") or a metropolitan statistical area ("MSA"), as defined by the Office of Management and Budget, or which has total assets as of December 31 of the preceding calendar year of \$10 million or less, shall request and retain the following information on home purchase loan applications (excluding applications received by telephone) for dwellings, occupied or to be occupied by the application as a principal residence, and containing one to four units:

(i) *Data on home purchase loan applicants.*

(A) Date of application.

(B) Case identification.

(1) Name.

(2) Address.

(3) Location (street address, city, State, and zip code) of subject property.

(C) Sex.

(D) Race/national origin, using the categories American Indian or Alaskan Native; Asian or Pacific Islander;

¹These records are to be retained for the purpose of monitoring compliance and may not be used for the purpose of extending or denying credit or fixing credit terms where prohibited by law.

Black; Hispanic; White; or other (specify).

(E) Age.

(F) Marital status, using the categories married, unmarried, and separated.

(ii) *Collection of data.* No bank shall engage in any activity which discourages an applicant from providing the information in paragraph (a)(1)(i) of this section. Each bank shall attempt to collect such information during the initial contact with the applicant. If the applicant refuses to furnish all or part of this information, the bank shall note the fact or have the applicant note the fact on the form used for recording the information. If the information regarding race and sex is not voluntarily furnished, the bank shall, on the basis of visual observations or surnames, separately note the information on the form or an attached document.

(2) A bank which has an office in a PMSA or MSA, and which had total assets exceeding \$10 million as of December 31 of the preceding calendar year, shall request the following information on home purchase loan applications (excluding applications received by telephone) for dwellings, occupied or to be occupied by the applicant, and containing one to four units:

(i) *Data on home purchase loan applicants.*

(A) Date of application.

(B) Case identification:

(1) Name.

(2) Address.

(3) Location (street address, city, State, and zip code) of subject property.

(C) Sex.

(D) Race/national origin, using the categories American Indian or Alaskan Native; Asian or Pacific Islander; Black; Hispanic; White; or other (specify).

(E) Age.

(F) Marital status, using the categories married, unmarried, and separated.

(G) Loan type, using the following categories: purchase of existing dwelling; refinancing of existing home loan; construction loan only; construction-permanent; other (specify).

(H) Case disposition (e.g., accepted, rejected).

(ii) *Additional data on applications for home loans.*²

(A) Other characteristics of applicants.

(1) *Employment.* (i) Number of years employed in present line of work or profession.

(ii) Self-employed—Yes or No.

(iii) Years on Present Job—(Number of continuous years employed by the current employer. For self-employed persons, the number of continuous years self-employed. If a person is not employed, record as zero years.)

(2) *Income.* (i) Base Employment Income. (Enter only normal monthly base salary, wages and retirement income. For self-employed persons, enter average or normal monthly income.)

(ii) Other Income. (Average per month. If received on a regular basis include, by so stating, overtime pay bonuses, commissions, dividends, interest, rental income, and income from part-time employment. Include alimony, separate maintenance and child-support payment information only if the applicant has been advised that such information need not be provided and elects to have it considered.)

(3) *Number of dependents.* (Each dependent should be counted only once. The applicant and any co-applicant(s) should be excluded.)

(4) *Total assets.* (i) Liquid assets. (Include all cash and other items which are readily convertible to cash (e.g., checking, savings, and time deposit accounts at banks, savings and loan associations, credit unions, or similar institutions; stocks and bonds for which there is a ready market; and the cash surrender value of any life insurance policies).)

(ii) All other assets.

²Except for census tract information in paragraph (a)(2)(ii)(B)(5), all information is listed on the Residential Loan Application Form contained in appendix B of Regulation B of the Board of Governors of the Federal Reserve System (12 CFR part 202, appendix B). The information may be recorded on the Regulation B model Residential Loan Application Form or on one or more existing form or forms used by the bank.

(5) *Total liabilities.* Exclude any liabilities which will result from the approval of the application and list the following:

(i) Liabilities which will be satisfied upon sale of real estate owned, or upon refinancing of property, associated with this application.

(ii) All other outstanding liabilities.

(6) *Total monthly payments on liabilities.* Exclude any payments on liabilities which will result from the approval of the application and list the following:

(i) Payments on liabilities which will be satisfied upon sale of real estate owned, or upon refinancing of property, associated with this application.

(ii) All other payments on outstanding liabilities.

(7) *Customer(s) of Bank—Yes or No.*

(B) Characteristics of subject property.

(1) Year Built.

(2) Purchase Price or Approximate Current Market Value.

(3) Value of Land (Construction Loan Only).

(4) Street Address, City, County, State, Zip Code.

(5) Census Tract.

(6) Number of Residential Units.

(C) Characteristics of loan request.

(1) Purpose of loan.

(i) Purchase of existing dwelling.

(ii) Refinancing of existing home loan.

(iii) Construction loan only.

(iv) Construction-Permanent.

(v) Other (specify).

(2) Type mortgage.

(i) Conventional.

(ii) VA.

(iii) FHA.

(iv) Other (specify).

(3) Amount of Loan.

(4) Interest Rate.

(5) Months to Maturity. (For short-term, renewable mortgages or those with some other provision for varying rates, a brief explanation of the provisions should be appended to the application form.)

(6) Monthly Payment, Principal and Interest.

(7) Estimated Total Closing Costs. (Excluding downpayment.)

(8) Estimated Closing Costs Paid by Seller.

(9) Estimated Real Estate Taxes and Insurance. (Indicate annual or monthly.)

(iii) *Collection of data.*

(A) Each bank shall attempt to collect that information in paragraph (a)(2)(i) of this section during the initial contact with the applicant. If the applicant refuses to furnish all or part of this information, the bank shall note the fact or have the applicant note the fact on the form used for recording the information. If the information regarding race and sex is not voluntarily furnished, the bank shall on the basis of visual observation or surnames, separately note the information on the form or an attached document.

(B) No bank shall engage in any activity which discourages an applicant from providing the information in paragraphs (a)(2)(i) and (ii) of this section. If the bank is unable to obtain any part of the information requested of the applicant under paragraph (a)(2)(ii) of this section, it shall note the reason in the application file. Also, if the bank rejects an application before it has had the opportunity to collect all of the information under paragraph (a)(2)(ii) of this section, it shall note the reason for the rejection in the application file and need not obtain the remaining information.

(b) *Disclosure to applicant.* The bank shall advise an applicant that:

(1) The information regarding race/national origin, marital status, age, and sex in paragraphs (a)(1) and (2) of this section is being requested to enable the Federal Deposit Insurance Corporation to monitor compliance with the Fair Housing and Equal Credit Opportunity Acts which prohibit creditors from discriminating against applicants on these bases;

(2) The Federal Deposit Insurance Corporation encourages the applicant to provide the information requested; and

(3) If the applicant refuses to provide the information concerning race/national origin or sex, the bank is required, where possible, to note the information on the basis of visual observations or surnames.

(c) *Record retention.* Each bank shall retain the records required by this section for a period of not less than 25 months after the bank notifies an applicant of action taken on an application. This requirement also applies to records of home purchase loans which are originated by the bank and subsequently sold. The Federal Deposit Insurance Corporation may by written notice extend the retention period.

(d) *Substitute system.* The record-keeping provisions of § 338.7 constitute a substitute monitoring program adopted under § 202.13(d) of Regulation B of the Board of Governors of the Federal Reserve System (12 CFR 202.13(d)). A bank collecting the data in compliance with § 338.7 will be in compliance with the recordkeeping requirements of § 202.13 of Regulation B.

(e) *Review of records.* Each bank shall make all information collected under paragraph (a) of this section available to FDIC examiners for review upon request.

(Approved by the Office of Management and Budget under control number 3064-0085)

[43 FR 11563, Mar. 20, 1978, as amended at 49 FR 35763, Sept. 12, 1984; 50 FR 39990, Oct. 1, 1985; 53 FR 30838, Aug. 16, 1988. Redesignated and amended at 56 FR 50039, Oct. 3, 1991]

§ 338.8 Compilation of loan data in register format.

(a) A bank which has an office in a PMSA or MSA, and which had total assets exceeding \$10 million as of December 31 of the preceding calendar year, shall collect data regarding applications for, and originations and purchases of, home purchase loans and home improvement loans for each calendar year. These data shall be presented on a register in the format prescribed in appendix A to subpart B of this part. Data shall be collected by the bank as to each of the items reflected on the sample form in appendix A (including race or national origin, sex, and income). The bank shall be able to:

(1) Trace each entry on the register to the relevant application file, using an identifying number or code that can be used to retrieve the loan or application file; and

(2) Identify the bank office where the application was accepted.

(b) Notwithstanding any other provision of this part 338, the Board of Directors may require any bank to collect data regarding applications for, and originations and purchases of, home purchase loans and home improvement loans for each calendar year. These data shall be presented on a register in the format prescribed in appendix A to subpart B of this part. Data shall be collected by the bank as to each of the items reflected on the sample form in appendix A (including race or national origin, sex, and income). The bank shall be able to:

(1) Trace each entry on the register to the relevant application file, using an identifying number or code that can be used to retrieve the loan or application file; and

(2) Identify the bank office where the application was accepted.

(c) All information required by this § 338.8 must be entered on the register within 30 calendar days after the loan application is finally disposed of (that is, the application is denied or withdrawn, or the loan goes to closing).

(d) *Record retention.* Each bank shall retain a copy of the completed register required by this § 338.8 for a period of not less than twenty-five months after submission of the completed register to the Federal Deposit Insurance Corporation pursuant to Regulation C of the Federal Reserve System (12 CFR part 203).

(e) *Review of records.* Each bank shall make all information collected pursuant to this § 338.8 available to FDIC examiners for review upon request.

(Approved by the Office of Management and Budget under control number 3064-0046)

[56 FR 50040, Oct. 3, 1991]

§ 338.9 Mortgage lending of a controlled entity.

Any bank which refers any applicants to a controlled entity and which purchases any home loans originated by the controlled entity, as a condition to transacting any business with the controlled entity, shall require the controlled entity to enter into a written agreement with the bank. The written agreement shall provide that the controlled entity shall:

(a) Comply with the requirements of §§ 338.3, 338.4 and 338.7, and, if otherwise

Pt. 338, Subpt. B. App. A

12 CFR Ch. III (1-1-97 Edition)

subject to Regulation C of the Board of Governors of the Federal Reserve System (12 CFR part 203), § 338.8;

(b) Open its books and records to examination by the Federal Deposit Insurance Corporation; and

(c) Comply with all instructions and orders issued by the Federal Deposit Insurance Corporation with respect to its home loan practices.

[49 FR 35764, Sept. 12, 1984. Redesignated and amended at 56 FR 50039, Oct. 3, 1991]

Control number (agency use only)

[illegible]

APPENDIX B TO SUBPART B OF PART
338—INSTRUCTIONS ON MAINTAINING
LOAN APPLICATION REGISTER

The format of the Loan Application Register is identical to that required by Regulation C of the Board of Governors of the Federal Reserve System. Instructions for completing the Loan Application Register are set forth at 12 CFR part 203, appendix A, section II, entitled "Completion of Register."

[56 FR 50042, Oct. 3, 1991]

**PART 339—LOANS IN AREAS
HAVING SPECIAL FLOOD HAZARDS**

Sec.

- 339.1 Authority, purpose, and scope.
- 339.2 Definitions.
- 339.3 Requirement to purchase flood insurance where available.
- 339.4 Exemptions.
- 339.5 Escrow requirement.
- 339.6 Required use of standard flood hazard determination form.
- 339.7 Forced placement of flood insurance.
- 339.8 Determination fees.
- 339.9 Notice of special flood hazards and availability of Federal disaster relief assistance.
- 339.10 Notice of servicer's identity.

APPENDIX A TO PART 339—SAMPLE FORM OF
NOTICE OF SPECIAL FLOOD HAZARDS AND
AVAILABILITY OF FEDERAL DISASTER RELIEF
ASSISTANCE

AUTHORITY: 42 U.S.C. 4012a, 4104a, 4104b, 4106, and 4128.

SOURCE: 61 FR 45706, Aug. 29, 1996, unless otherwise noted.

§ 339.1 Authority, purpose, and scope.

(a) *Authority.* This part is issued pursuant to 42 U.S.C. 4012a, 4104a, 4104b, 4106, and 4128.

(b) *Purpose.* The purpose of this part is to implement the requirements of the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001–4129).

(c) *Scope.* This part, except for §§ 339.6 and 339.8, applies to loans secured by buildings or mobile homes located or to be located in areas determined by the Director of the Federal Emergency Management Agency to have special flood hazards. Sections 339.6 and 339.8 apply to loans secured by buildings or mobile homes, regardless of location.

§ 339.2 Definitions.

(a) *Act* means the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4001–4129).

(b) *Bank* means an insured state nonmember bank and an insured state branch of a foreign bank or any subsidiary of an insured state nonmember bank.

(c) *Building* means a walled and roofed structure, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, and a walled and roofed structure while in the course of construction, alteration, or repair.

(d) *Community* means a State or a political subdivision of a State that has zoning and building code jurisdiction over a particular area having special flood hazards.

(e) *Designated loan* means a loan secured by a building or mobile home that is located or to be located in a special flood hazard area in which flood insurance is available under the Act.

(f) *Director of FEMA* means the Director of the Federal Emergency Management Agency.

(g) *Mobile home* means a structure, transportable in one or more sections, that is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term *mobile home* does not include a recreational vehicle. For purposes of this part, the term *mobile home* means a mobile home on a permanent foundation. The term *mobile home* includes a manufactured home as that term is used in the NFIP.

(h) *NFIP* means the National Flood Insurance Program authorized under the Act.

(i) *Residential improved real estate* means real estate upon which a home or other residential building is located or to be located.

(j) *Servicer* means the person responsible for:

(1) Receiving any scheduled, periodic payments from a borrower under the terms of a loan, including amounts for taxes, insurance premiums, and other charges with respect to the property securing the loan; and

(2) Making payments of principal and interest and any other payments from